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## NOTICE OF ALLOWANCE AND FEE(S) DUE

87220

7590

06/03/2009

Walder Intellectual Property Law (END)  
C/O Walder Intellectual Property Law, P.C.  
17330 Preston Road  
Suite 100B  
Dallas, TX 75252

EXAMINER

ZELASKIEWICZ, CHRYSSTINA E

ART UNIT

PAPER NUMBER

3621

DATE MAILED: 06/03/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,296	06/19/2001	Steven B. Adler	AUS920010620US1	3926

TITLE OF INVENTION: USING A PRIVACY AGREEMENT FRAMEWORK TO IMPROVE HANDLING OF PERSONALLY IDENTIFIABLE INFORMATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	09/03/2009

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail**

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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

87220 7590 06/03/2009

**Walder Intellectual Property Law (END)  
C/O Walder Intellectual Property Law, P.C.  
17330 Preston Road  
Suite 100B  
Dallas, TX 75252**

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE-FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/884.296 06/19/2001 Steven B. Adler AUS920010620US1 3926

**TITLE OF INVENTION: USING A PRIVACY AGREEMENT FRAMEWORK TO IMPROVE HANDLING OF PERSONALLY IDENTIFIABLE INFORMATION**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	09/03/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
ZELASKIEWICZ, CHRYSITINA E	3621	705-051000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/147; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

**PLEASE NOTE:** Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

**NOTE:** The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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87220	7590	06/03/2009		
Walder Intellectual Property Law (END) C/O Walder Intellectual Property Law, P.C. 17330 Preston Road Suite 100B Dallas, TX 75252				
EXAMINER ZELASKIEWICZ, CHRYSTINA E				
			ART UNIT 3621	PAPER NUMBER
DATE MAILED: 06/03/2009				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 888 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 888 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability****Application No.**

09/884,296

**Applicant(s)**

ADLER ET AL.

**Examiner**

CHRYSTINA ZELASKIEWICZ

**Art Unit**

3621

**- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Final Rejection mailed on March 2, 2009.
2. ☒ The allowed claim(s) is/are 1,2,6,7,11 and 12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

**Examiner's Amendment**

1. Claims 1-2, 6-7, 11-12 are pending.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. §1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this Examiner's amendment was given in a telephone interview with Stephen Walder on May 28, 2009.
4. The application has been amended as follows:

1. (Currently amended) A method, in an information handling system comprising a processor and a storage device, for improving the handling of personally identifiable information, said method comprising:

generating, in the information handling system, an object model for representing relationships between active entities with regard to handling of personally identifiable information, wherein the active entities comprise a data subject, represented as a data subject object in the object model, and at least one data user, represented as at least one data user object in the object model, and wherein the data subject is an active entity that is identified by the personally identifiable information and the at least one data user is an active entity that uses the personally identifiable information obtained from the data subject;

identifying, by the information handling system, parties involved in a process of handling personally identifiable information based on the object model, wherein the parties comprise the data subject and the at least one data user;

identifying, by the information handling system, data involved in said process from a data model;

classifying, by the information handling system, the data as personally identifiable information or non-personally identifiable information;

expressing, by the information handling system, based on the object model, each relationship between each pair of said parties in terms of a privacy agreement, wherein the privacy agreement for each relationship between each pair of parties is a subset of a natural language privacy policy set, the

subset being defined as specific to a particular situation or purpose and specific to the particular parties in the pair of parties; and

representing, by the information handling system, said parties, said data, and said privacy agreements graphically as objects and associations between objects in one or more privacy agreement relationship diagrams;

reducing privacy-related risks involved in said process based on the one or more privacy agreement relationship diagrams; and

transforming data into a less sensitive form based on the one or more privacy agreement relationship diagrams, wherein the less sensitive form is one of a de-personalized form in which transformed data does not contain personally identifiable information that identifies the data subject but is able to be associated with the data subject using other data having personally identifiable information, or an anonymous form in which transformed data does not contain personally identifiable information that identifies the data subject and is not able to be associated with the data subject, wherein:

each privacy agreement uses a limited number of privacy-related actions concerning said personally identifiable information; and

said privacy agreement expresses privacy rules regarding said privacy-related actions, for each party in a pair of parties with which the privacy agreement is associated.

2. (Previously presented) The method of Claim 1, further comprising mapping a business process to privacy rules of one or more privacy agreements for each pair of parties.

3-5. (Canceled)

6. (Currently amended) A system for improving the handling of personally identifiable information, said system comprising:

a processor; and

a memory coupled to the processor, wherein the memory comprises instructions which, when executed by the processor, cause the processor to:

generate an object model for representing relationships between active entities with regard to handling of personally identifiable information, wherein the active entities comprise a data subject, represented as a data subject object in the object model, and at least one data user, represented as at least one data user object in the object model, and wherein the data subject is an active entity that is identified by the personally identifiable information and the at least one data user is an active entity that uses the personally identifiable information obtained from the data subject;

identify parties involved in a process of handling personally identifiable information based on the object model, wherein the parties comprise the data subject and the at least one data user;

identify data involved in said process from a data model;

classify the data as personally identifiable information or non-personally identifiable information;

express, based on the object model, each relationship between each pair of said parties in terms of a privacy agreement, wherein the privacy agreement for each relationship between each pair of parties is a subset of a natural language privacy policy set, the subset being defined as specific to a particular situation or purpose and specific to the particular parties in the pair of parties; [[and]]

represent said parties, said data, and said privacy agreements graphically as objects and associations between objects in one or more privacy agreement relationship diagrams;

reduce privacy-related risks involved in said process based on the one or more privacy agreement relationship diagrams; and

transform data into a less sensitive form based on the one or more privacy agreement relationship diagrams, wherein the less sensitive form is one of a de-personalized form in which transformed data does not contain personally identifiable information that identifies the data subject but is able to be associated with the data subject using other data having personally identifiable information, or an anonymous form in which transformed data does not contain personally identifiable information that identifies the data subject and is not able to be associated with the data subject, wherein:

each privacy agreement uses a limited number of privacy-related actions concerning said personally identifiable information; and

said privacy agreement expresses privacy rules regarding said privacy-related actions, for each party in a pair of parties with which the privacy agreement is associated.

7. (Previously presented) The system of Claim 6, wherein the instructions further cause the processor to map a business process to privacy rules of one or more privacy agreements for each pair of parties.

8-10. (Canceled)

11. (Currently amended) A computer-usable medium having computer-executable instructions for improving the handling of personally identifiable information, said computer-executable instructions, when executed by a computing device, cause the computing device to:

generate an object model for representing relationships between active entities with regard to handling of personally identifiable information, wherein the active entities comprise a data subject, represented as a data subject object in the object model, and at least one data user, represented as at least one data user object in the object model, and wherein the data subject is an active entity that is identified by the personally identifiable information and the at least one data user is an active entity that uses the personally identifiable information obtained from the data subject;

identify parties involved in a process of handling personally identifiable information based on the object model, wherein the parties comprise the data subject and the at least one data user;

identify data involved in said process from a data model;

classify the data as personally identifiable information or non-personally identifiable information;

express, based on the object model, each relationship between each pair of said parties in terms of a privacy agreement, wherein the privacy agreement for each relationship between each pair of parties



is a subset of a natural language privacy policy set, the subset being defined as specific to a particular situation or purpose and specific to the particular parties in the pair of parties; and

represent said parties, said data, and said privacy agreements graphically as objects and associations between objects in one or more privacy agreement relationship diagrams;

reduce privacy-related risks involved in said process based on the one or more privacy agreement relationship diagrams; and

transform data into a less sensitive form based on the one or more privacy agreement relationship diagrams, wherein the less sensitive form is one of a de-personalized form in which transformed data does not contain personally identifiable information that identifies the data subject but is able to be associated with the data subject using other data having personally identifiable information, or an anonymous form in which transformed data does not contain personally identifiable information that identifies the data subject and is not able to be associated with the data subject, wherein:

each privacy agreement uses a limited number of privacy-related actions concerning said personally identifiable information; and

said privacy agreement expresses privacy rules regarding said privacy-related actions, for each party in a pair of parties with which the privacy agreement is associated.

12. (Previously presented) The computer-useable medium of Claim 11, wherein the instructions further cause the computing device to map a business process to privacy rules of one or more privacy agreements for each pair of parties.

13-20. (Canceled)

#### **Reasons for Allowance**

5. Regarding the claimed terms, Examiner notes that a "general term must be understood in the context in which the inventor presents it." *In re Glaug*, 283 F.3d 1335, 1340, 62 USPQ2d 1151, 1154 (Fed. Cir. 2002). Therefore, Examiner must interpret the claimed terms as found on pages 1-25 of the

specification. Clearly almost all the general terms in the claims may have multiple meanings. So where a claim term "is susceptible to various meanings... the inventor's lexicography must prevail." *Id.* An exception to this rule is where "means for" language is used. Using these definitions for the claims, the claimed invention was not reasonably found in the prior art.

6. The closest prior art of record is Coffey et al. (US 6,636,858) and Ginter et al. (US 5,892,900).
7. The prior art of record discloses a conventional system and method for formatting, associating, organizing, and retrieving data; enabling the accumulation and integration of unforeseen data, entities, and relationships into a database.
8. The prior art of record, however, does not teach at least these elements of claims 1, 6, and 11:
  - a. Reducing privacy-related risks... diagrams;
  - b. Transforming data into a less sensitive form... subject.
9. Yet even if the missing claimed elements were found in a reasonable number of references, a person of ordinary skill in the art at the time the invention was made would **not** have been motivated to include these missing elements in an embodiment of the prior art disclosures because traditionally a database system that shows relationships between entities does not reduce privacy-related risks based on the relationship diagram and transform the data into a less sensitive form such as de-personalized or anonymous forms.
10. Examiner finds that "reducing privacy-related risks involved in said process based on the one or more privacy agreement relationship diagrams" is inherently present in Applicant's original disclosure because said disclosure provides support for 1) "identifying opportunities to reduce privacy-related risks involved in said process"; and 2) transformation of data into a less sensitive form (see claim 3 filed June 19, 2001 and specification p 24). Identifying opportunities to reduce privacy-related risks and then transforming data based on those opportunities, inherently discloses reducing privacy-related risks because the data is transformed into a less sensitive form.
11. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

12. Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to Chrystina Zelaskiewicz whose telephone number is 571.270.3940. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew Fischer can be reached at 571.272.6779.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866.217.9197 (toll-free).

/Chrystina Zelaskiewicz/  
Examiner, Art Unit 3621  
May 28, 2009

/ANDREW J. FISCHER/  
Supervisory Patent Examiner, Art Unit 3621